

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JOEL WHITE,	)	
	)	
Plaintiff,	)	
v.	)	NO. CIV-16-0439-HE
	)	
NANCY A. BERRYHILL,	)	
Acting Commissioner of the	)	
Social Security Administration,	)	
	)	
Defendant.	)	

**ORDER**

Plaintiff Joel White filed this action appealing the decision of the Commissioner of the Social Security Administration (“Commissioner”) denying his application for disability and disability insurance benefits under the Social Security Act. The case was referred to U.S. Magistrate Judge Suzanne Mitchell for initial proceedings consistent with 28 U.S.C. § 636(b)(1)(B). Judge Mitchell has recommended that the decision of the Commissioner be affirmed. Objections to the Report and Recommendation were due by March 6, 2017. No objection has been filed.

Having failed to object to the Report and Recommendation, the parties have waived their right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059–60 (10th Cir. 1996); *see* 28 U.S.C. § 636(b)(1)(C) (“A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations *to which objection is made.*” (emphasis added)). Accordingly, the Report and Recommendation [Doc. No. 18] is **ADOPTED** and the decision of the Commissioner is **AFFIRMED**.

**IT IS SO ORDERED.**

Dated this 13<sup>th</sup> day of March, 2017.



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JOE HEATON  
CHIEF U.S. DISTRICT JUDGE